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LETTER DATED 29 AUGUST 1991 FROM THE REPRESENTATIVES OF BELGIUM, FRANCE AND THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

We have the honour to bring to your attention the text, in French and in English, of the declaration on Yugoslavia adopted by the European Community and its member States at the ministerial meeting held at Brussels on 27 August 1991.

We should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(Signed) Mr. Frans van DAELE
Chargé d'affaires a.i. of Belgium to the United Nations

(Signed) Mr. Jean-Marc ROCHEREAU DE LA SABLIERE
Chargé d'affaires a.i. of France to the United Nations

(Signed) Sir David HANNAY
Permanent Representative of the United Kingdom to the United Nations

Annex

Declaration on Yugoslavia

The European Community and its member States are dismayed at the increasing violence in Croatia. They remind those responsible for the violence of their determination never to recognize changes of frontiers which have not been brought about by peaceful means and by agreement. It is a deeply misguided policy on the part of the Serbian irregulars to try to solve the problems they expect to encounter in a new constitutional order through military means. It is even more disconcerting that it can no longer be denied that elements of the Yugoslav People's Army are lending their active support to the Serbian side. The Community and its member States call on the Federal Presidency to put an immediate end to this illegal use of the forces under its command.

The Community and its member States will never accept a policy of fait accompli. They are determined not to recognize changes of borders by force and will encourage others not to do so either.

Territorial conquests, not recognized by the international community, will never produce the kind of legitimate protection sought by all in the new Yugoslavia. Such protection can be brought about only by negotiations based on the principle of the fullest protection of the rights of all, wherever they may live in Yugoslavia.

The European Community and its member States call on Serbia to lift its objection to the extension of the activities of their monitor mission in Croatia. Recent events have shown that without a comprehensive and effective cease-fire and impartial foreign monitors the situation in Yugoslavia cannot be sufficiently stabilized to allow for productive negotiations to be held.

In view of the deteriorating situation in Yugoslavia the European Community and its member States have asked the Presidency to request the Chairman of the CSCE Committee of Senior Officials to advance the additional meeting of that Committee, agreed on during its second emergency meeting on 9 August 1991, to early September.

The Community and its member States cannot stand idly by as the bloodshed in Croatia increases day by day. An agreement on the monitoring of the cease-fire and its maintenance should allow the Community and its member States to convene a peace conference and establish an arbitration procedure.

This peace conference will bring together:

- On the part of Yugoslavia, the Federal Presidency, the Federal Government and the Presidents of the Republics.

- The President of the Council, representatives of the member States and the Commission.

The arbitration procedure in the framework of this peace conference will be established as follows. The relevant authorities will submit their differences to an arbitration commission of five members chosen from the Presidents of constitutional courts existing in the Community countries. The composition of the arbitration commission will be:

- Two members appointed unanimously by the Federal Presidency.

- Three members appointed by the Community and its member States.

In the absence of agreement on the members to be appointed by the Federal Presidency, they will be designated by the three members appointed by the Community.

This arbitration commission will give its decision within two months.

In the absence by 1 September of acceptance of an agreement on the monitoring of the cease-fire and its maintenance as well as agreement on the peace conference, the Community and its member States will consider additional measures including international action. To this effect they will convene a meeting, to which they will invite the Presidents and the representatives on the Federal Presidency of the Republics which support these two steps. The Prime Minister and the Foreign Minister of the Federal Government will also be invited to this meeting.

The Presidency has sent a special envoy to Yugoslavia to clarify the Twelve's position in this regard. The member States which are members of the Security Council will bring this declaration to the attention of that body.